UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,324	07/17/2003	Sreedhar Sannareddy Reddy	P8008	4325

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EXAMINER
NAHAR, QAMRUN

ART UNIT	PAPER NUMBER
2191	

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/622,324	REDDY ET AL.
	Examiner	**Art Unit**	
	Qamrun Nahar	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 July 2003*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

     closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *07/17/2003*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20061030

DETAILED ACTION

1. Claims 1-18 have been examined.

Priority

2.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. The certified copy for 689/MUM/2001 has been received.

3.   Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy for 722/MUM/2001 has been filed in parent Application No. 10/059696; the certified copy has been filed on 07/26/2001.

Specification

4.   The abstract of the disclosure is objected to because "and," on line 4 of the abstract should be "and". Correction is required. See MPEP § 608.01(b).

5.   The disclosure is objected to because of the following informalities: Field of the Invention section on pg. 1 of the specification should follow after the "Background of the Invention" label.

Appropriate correction is required.

6.   The disclosure is objected to because of the following informalities: "Description of Related Art" section label is missing on pg. 1 of the specification, which should appear right after the Field of the Invention section.

Appropriate correction is required.

7.   The disclosure is objected to because of the following informalities: the "Cross-

Reference to Related Documents" section should appear after the title on pg. 1 of the

specification.

Appropriate correction is required.

8.   The disclosure is objected to because of the following informalities: the label "Cross-

Reference to Related Documents" on pg. 1 of the specification should be "Cross-Reference to

Related Applications".

Appropriate correction is required.

9.   The disclosure is objected to because of the following informalities: a period is missing at

the end of the sentence on pg. 1, line 21 of the specification.

Appropriate correction is required.

10.   The disclosure is objected to because of the following informalities: the abbreviation

"ER" on pg. 2, line 22 of the specification should be written out first.

Appropriate correction is required.

11.   The disclosure is objected to because of the following informalities: please delete the

extraneous space on pg. 6, line 12 of the specification.

Appropriate correction is required.

12.   The disclosure is objected to because of the following informalities: the label "Brief

Description of the Drawing Figures" on pg. 6 of the specification should be "Brief Description of

the Drawings".

Appropriate correction is required.

13.   The disclosure is objected to because of the following informalities: "Fig. 5 b" on pg. 7,

line 6 of the specification should be "Fig. **5b**".

Appropriate correction is required.

14.   The disclosure is objected to because of the following informalities: the label

"Description of the Preferred Embodiments" on pg. 7 of the specification should be "Detailed

Description of the Invention".

Appropriate correction is required.

The following guidelines illustrate the preferred layout for the specification of a utility
application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include
the following sections in order. Each of the lettered items should appear in upper case, without
underlining or bold type, as a section heading. If no text follows the section heading, the phrase
"Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

      (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
          DEVELOPMENT.
      (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
      (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A
          COMPACT DISC.
      (f) BACKGROUND OF THE INVENTION.
          (1) Field of the Invention.
          (2) Description of Related Art including information disclosed under 37 CFR 1.97
          and 1.98.
      (g) BRIEF SUMMARY OF THE INVENTION.
      (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
      (i) DETAILED DESCRIPTION OF THE INVENTION.
      (j) CLAIM OR CLAIMS (commencing on a separate sheet).
      (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
      (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence
          Listing" is required on paper if the application discloses a nucleotide or amino
          acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence
          Listing" is not submitted as an electronic document on compact disc).

Claim Objections

15.   Claim 1 is objected to because of the following informalities: "and," on line 4 of the

claim should be "and". Furthermore, the text "and" should appear after the text "configuration;"

on line 6 of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112

16.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

17.   Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

18.   Claim 1 recites the limitation "the assembled components" in line 5 of the claim. There is insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is interpreted as "one or more components".

Claims 2-8 are rejected for dependency upon rejected base claim 1 above.

19.   Claim 1 recites the limitation "the basis" in line 12 of the claim. There is insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is interpreted as "basis".

Claims 2-8 are rejected for dependency upon rejected base claim 1 above.

20.   Claim 4 recites "a component version" twice on line 2 of the claim, and also recites on line 3 of the claim, which renders the claim indefinite because it is unclear whether this limitation is referring to the component version on line 9 of claim 1 or whether this limitation is referring to another component version. Therefore, this limitation is interpreted as "the component version.

21.   Claim 5 recites "a configuration" on line 1 of the claim, which renders the claim indefinite because it is unclear whether this limitation is referring to the configuration on line 6 of claim 1 or whether this limitation is referring to another configuration. Therefore, this limitation is interpreted as "the configuration".

22.   Claim 5 recites the limitation "the constraint" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is interpreted as "constraint".

23.   Claim 5 recites the limitation "the same version" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is interpreted as "same version".

24.   Claim 8 recites "a configuration" on line 2 of the claim, which renders the claim indefinite because it is unclear whether this limitation is referring to the configuration on line 6 of claim 1 or whether this limitation is referring to another configuration. Therefore, this limitation is interpreted as "the configuration".

25.   Claim 9 recites the limitation "the desired components" in line 6 of the claim. There is insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is interpreted as "the interacting components".

        Claims 10-18 are rejected for dependency upon rejected base claim 9 above.

26.   Claim 9 recites the limitation "the assembled components" in line 8 of the claim. There is insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is interpreted as "the interacting components".

        Claims 10-18 are rejected for dependency upon rejected base claim 9 above.

27.   Claim 9 recites "a configuration container" on line 8 of the claim, which renders the

claim indefinite because it is unclear whether this limitation is referring to the configuration

container on lines 2-3 of the claim or whether this limitation is referring to another configuration

container. Therefore, this limitation is interpreted as "the configuration container".

        Claims 10-18 are rejected for dependency upon rejected base claim 9 above.

28.   Claim 9 recites "a configuration" on line 10 of the claim, which renders the claim

indefinite because it is unclear whether this limitation is referring to the configuration on line 3

of the claim or whether this limitation is referring to another configuration. Therefore, this

limitation is interpreted as "the configuration".

        Claims 10-18 are rejected for dependency upon rejected base claim 9 above.

29.   Claim 12 recites the limitation "the associations" in line 2 of the claim. There is

insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is

interpreted as "associations".

30.   Claim 15 recites the limitation "the inter-component associations" in lines 1-2 of the

claim. There is insufficient antecedent basis for this limitation in the claim. Therefore, this

limitation is interpreted as "inter-component associations".

31.   Claim 16 recites the limitation "the constraint" in line 2 of the claim. There is

insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is

interpreted as "constraint".

32.   Claim 16 recites the limitation "the same version" in line 3 of the claim. There is

insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is

interpreted as "same version".

33.   Claim 17 recites the limitation "the associations" in line 2 of the claim. There is

insufficient antecedent basis for this limitation in the claim. Therefore, this limitation is

interpreted as "associations".

34.   Claim 18 recites "a configuration" on line 2 of the claim, which renders the claim

indefinite because it is unclear whether this limitation is referring to the configuration on line 3

of claim 9 or whether this limitation is referring to another configuration. Therefore, this

limitation is interpreted as "the configuration".

Claim Rejections - 35 USC § 101

35.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

36.   Claims 1-8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to

non-statutory subject matter.

Claim 1 appears to be software alone, functional descriptive material, per se, lacking the

necessary physical components (hardware) to constitute a machine or a manufacture under 101.

Since claim 1 is clearly not a process or a composition of matter, it appears to fail to fall within a

statutory category and thus non-statutory.

Claims 2-8 are rejected for failing to cure the deficiencies of the above rejected non-

statutory claim 1 above.

Claim Rejections - 35 USC § 102

37.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

38.   Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Linton et al. (US

2004/0015822) (hereinafter "Linton").

Per Claim 1 (as best understood):

The Linton publication discloses:

- a component container for grouping objects to form a component ("Each *element* 402 is

comprised of a multiplicity of attributes 404 and behaviors 407." in par. 0050, lines 8-9)

containing the objects, the objects having properties and associations ("attributes 404 and

behaviors 407" in par. 0050, lines 8-9)

- and a configuration container for grouping one or more components to form a

configuration ("The *element container* 316 contains a multiplicity of instances of elements 317

... " in par. 0049, lines 2-4)

- characterized in that each component is assigned a version number upon creation

("elements typically have additional functions and data to identify each element instance (such as

a *globally unique identification*)." in par. 0058, lines 4-6)

- whereupon subsequent versions, if any, of the component are derived directly or

indirectly from an earlier version ("Elements may have a containment, or *parent-child*

relationship with sub-elements. ..." in par. 0055, lines 10-12)

- the objects accessibly isolated within the assigned component versions except for inter-

component associations established between compatible ones of the objects in separate but

compatible components of the configuration, the associations forming basis for assembling,

managing and function of the configuration (" ... all actions 409 implement the same interface

(this includes the possibility of subclassing the action interface.) Thus, all actions 409 have the

same base type, but are of differing classes. This allows the container application to use any

action 409 of any element 404 without any predetermined knowledge of its functionality, since

the interfaces are identical and well known." in par. 0053, lines 1-8).

Per Claim 2 (as best understood):

The Linton publication discloses:

- wherein object properties include intra-component associations between objects within a

same component ("Multiple actions 409 with the same type may be contained within an

element." in par. 0053, lines 8-9).

Per Claim 3 (as best understood):

The Linton publication discloses:

- wherein object ownership attributes of the inter-component associations define

dependency relationships between the component versions (" ... parent-child relationship ..."

in par. 0055, lines 1-24).

Per Claim 4 (as best understood):

The Linton publication discloses:

- wherein object evolution includes object modification within the component version,

object introduction to the component version, and object deletion from the component

version ("An attribute 404 may be of two types: settings 405 are attributes 404 that are exposed

to the container application's end-user, and are in general modifiable by him/her." in par. 0050,

lines 21-23).

Per Claim 5 (as best understood):

The Linton publication discloses:

- wherein the configuration can include one or more sub-configurations with constraint

that any shared component among them is of same version (" ... one or more element

containers ... Elements may have a containment, or parent-child relationship with sub-elements

..." in par. 0048, lines 8-9 and par. 0055, lines 10-12).

Per Claim 6 (as best understood):

The Linton publication discloses:

- wherein evolution history of component versioning and subsequent configuration

versioning is recorded and rendered accessible for review (" ... maintaining a list ..." in par.

0057, lines 1-7).

Per Claim 7 (as best understood):

The Linton publication discloses:

- wherein compatibility between objects and component versions is automatically recognized through association identification (" … parent-child relationship …" in par. 0055, lines 10-12).

Per Claim 8 (as best understood):

The Linton publication discloses:

- wherein incompatibility between component versions within the configuration is automatically recognized and reported during assembly (" … the container application may enforce any containment or cross-referencing of the elements based on information in the World Configuration file. …" in par. 0073, lines 1-6).

Per Claim 9 (as best understood):

The Linton publication discloses:

- (a) grouping desired objects ("attributes 404 and behaviors 407" in par. 0050, lines 8-9) **into the component container; (b) forming a component from the objects** ("Each *element* 402 is comprised of a multiplicity of attributes 404 and behaviors 407." in par. 0050, lines 8-9) **and versioning the component** ("elements typically have additional functions and data to identify each element instance (such as a *globally unique identification*)." in par. 0058, lines 4-6; and par. 0072, lines 1-7)

- (c) repeating steps (a) and (b) for all of the interacting components to be included in the configuration (" ... the container application reads a "World Configuration" file containing the elements to be created for the current execution of the container application. The elements may be specified by their patterns. The container application creates the elements, creates and assembles their behavior components, and initializes and sets the attributes as appropriate." in par. 0072, lines 1-7)

- (d) grouping the interacting components into the configuration container; and (e) forming the configuration containing the component versions ("The *element container* 316 contains a multiplicity of instances of elements 317 ... " in par. 0049, lines 2-4; and par. 0072, lines 1-7).

Per Claim 10 (as best understood):

The Linton publication discloses:

- wherein in step (b) the component is versioned as a first created component ("Elements may have a containment, or parent-child relationship with sub-elements. ..." in par. 0055, lines 10-12).

Per Claim 11 (as best understood):

The Linton publication discloses:

- wherein in step (b) the component is versioned as a derivative of an older version

("Elements may have a containment, or parent-child relationship with sub-elements. ...." in par. 0055, lines 10-12).

Per Claim 12 (as best understood):

The Linton publication discloses:

- wherein in step (b) the component assembly is tool-assisted using associations between objects in the component ("Multiple actions 409 with the same type may be contained within an element." in par. 0053, lines 8-9).

Per Claim 13 (as best understood):

The Linton publication discloses:

- whereto in step (b) the version assigned to the component is recorded in a component version evolution history (" ... maintaining a list ..." in par. 0057, lines 1-7).

Per Claim 14 (as best understood):

The Linton publication discloses:

- wherein in step (d) compatibility between component versions is automatically recognized through association identification ("Elements may have a containment, or parent-child relationship with sub-elements. ..." in par. 0055, lines 10-12).

Per Claim 15 (as best understood):

The Linton publication discloses:

- wherein in step (e) ownership attributes of inter-component associations define dependency relationships between the component versions of the configuration (" ... parent-child relationship ..." in par. 0055, lines 1-24).

Per Claim 16 (as best understood):

The Linton publication discloses:

- wherein in step (e) the configuration can include one or more sub-configurations with constraint that any shared component among them is of same version (" ... one or more element containers ... Elements may have a containment, or parent-child relationship with sub-elements ..." in par. 0048, lines 8-9 and par. 0055, lines 10-12).

Per Claim 17 (as best understood):

The Linton publication discloses:

- wherein in step (e) the configuration assembly is tool-assisted using associations between the included component versions (" ... all actions 409 implement the same interface (this includes the possibility of subclassing the action interface.) Thus, all actions 409 have the same base type, but are of differing classes. This allows the container application to use any action 409 of any element 404 without any predetermined knowledge of its functionality, since the interfaces are identical and well known." in par. 0053, lines 1-8).

Per Claim 18 (as best understood):

The Linton publication discloses:

- wherein in step (e) incompatibilities between component versions within the configuration are automatically recognized and reported during assembly (" ... the container application may enforce any containment or cross-referencing of the elements based on information in the World Configuration file. ..." in par. 0073, lines 1-6).

Conclusion

39.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Grier et al. (U.S. 6,871,344) teach a method of versioning configurations.

Dermer (U.S. 7,007,280) teaches a method of constructing a configuration from an assembly data-structure.

Cohen et al. (U.S. 6,487,713) teach a method of developing configuration state data based on a designated platform type and the source code elements.

40.   Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y Zhen, can be reached on (571) 272-3708. The fax phone number for the organization where this application or processing is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Qamrun Nahar
November 13, 2006